

Congress of the United States
Washington, DC 20515

December 1, 2010

The Honorable Ken Salazar
Secretary
Department of Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Salazar:

We are writing with a sense of urgency to request reforms in the federal program to recover the endangered Mexican gray wolf, a subspecies of the gray wolf, before it becomes too late and this unique and vital animal can no longer be saved from extinction.

The U.S. Fish and Wildlife Service (FWS) persists in pursuing failed policies and repudiated management practices, while delaying positive change, even as the sole Mexican wolf population in the wild continues a five-year decline. At last count in January 2010, only 42 wolves were found, including just two breeding pairs – a decrease of nineteen percent in wolf numbers from the previous year.

The most urgent management recommendations have not been accomplished. Since 1999, FWS has stated its intention to modify the 1998 reintroduction rule to allow release of wolves from captivity into New Mexico. The 1998 rule only allows releases into Arizona, but permits translocation of captured wolves into New Mexico, although the process of capture entails risks to the wolves and translocation may disrupt pack unity. The 2001 review urged a rule change be enacted “immediately” and the 2005 and 2010 reviews reiterated the importance of such a change. FWS has drafted an environmental assessment to accomplish this task but has not released it for public comment. In the intervening years, as FWS has set restrictions which wolves it can release into which habitats, the agency has expended significant resources on initiatives contributing to the deteriorating status of the Mexican wolf.

By failing to follow recommendations unanimously approved by approximately 500 attendees at the American Society of Mammalogists annual conference in 2007, FWS has disregarded the broader scientific community and put the viability of the Mexican wolf population in jeopardy. As a consequence, the Mexican wolf is facing a demographic decline in the wild and a decline in the genetic diversity of the entire subspecies, including animals remaining in captivity. In the wild population, the shrinking Mexican wolf gene pool has resulted in lower litter sizes and pup survival rates.

To ensure the health and survival of the Mexican gray wolf population, we request action on five positive measures that FWS can and should begin immediately. We also request inaction on one pernicious measure that FWS is poised to undertake:

- 1) Retrieve all telemetry receivers loaned to private parties and change the compromised radio frequencies on the wolves' radio collars. FWS has loaned telemetry receivers that are programmed to the signals issued by Mexican wolves' collars to private parties who may use them to hunt wolves. FWS is unable to account for all the receivers issued. Thirty-five wolves are known to have been killed illegally, while an additional 46 wolves have disappeared, many under suspicious circumstances. Retrieving programmed government telemetry receivers and changing the frequencies will decrease the vulnerability of the wolves.
- 2) Release into the wild the 22 wolves, eight in Arizona and fourteen in New Mexico, that are biologically suitable and eligible for release under the 1998 rule. Release of these animals, including nine that were captured from the wild as young pups, would increase the numbers of the dwindling population and heighten the likelihood of their survival.
- 3) Issue a draft Environmental Assessment (EA) allowing direct release of wolves into New Mexico from captivity. Release of the draft EA should begin a 60-day public comment period, followed by a final rule published in the Federal Register by the end of 2010. This would enable FWS to release new wolves that have not been in the wild previously to the areas best suited to their survival.
- 4) Convene a scientific recovery team and charge it with drafting a new Mexican wolf recovery plan. Given the three aforementioned reviews of the Mexican wolf reintroduction program and the numerous published studies on gray wolf biology, ecology and management, the team should be charged with developing a draft recovery plan as soon as January 2011. FWS's Southwestern Regional Director should sign off on the plan by the end of February 2011. A new recovery plan would identify the demographic, distributional, genetic, reproductive and regulatory conditions required to ensure the Mexican wolf's long term survival, and would enumerate these as criteria for delisting. It should also prescribe measures to save the Blue Range wolf population, and identify new recovery areas for establishment of additional Mexican wolf populations.
- 5) Concurrently, resume work on an Environmental Impact Statement (EIS) for a rule change process to enact the recovery plan's measures. Progress toward finalizing this EIS must rely heavily on the recovery team's progress, particularly in identifying new recovery areas. Protective measures to save the Blue Range wolf population have already been identified in the three reviews, so while additional authority will be necessary to reintroduce and conserve new wolf populations, the recovery plan need not be complete before work proceeds on an EIS. A draft rule should be submitted for public notice immediately after the regional director signs the recovery plan in February 2011, and a final rule approved by the end of August 2011.

Finally, FWS must not expend its limited resources in undertaking a NEPA process for an interim wolf management plan and an associated take permit, for wolves that might occasionally migrate from the Republic of Mexico, where reintroduction may occur in the

future. Developing a plan and a issuing a permit for take of wolves that are not designated as experimental, non-essential will undermine wolf recovery. Such a step is likely to generate a legal challenge, and the unnecessary and ill-advised effort will distract the Service from the long-delayed steps described above.

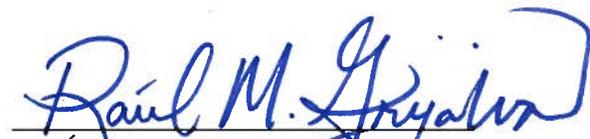
We also urge you not to permit FWS to enact just some of the abovementioned positive measures but abdicate action on others. The Mexican wolf recovery effort has been plagued by delay, political interference, and egregious disregard of science. Wolf biologists, population specialists and geneticists unanimously agree that more Mexican wolves must be released and enabled to survive in the wild, and that time is of the essence.

Some of the actions we request, such as development of a new recovery plan and enactment of a comprehensive rule-change, would contribute to the medium and long-term prospects for the Mexican wolf. No less important, however, are the management measures, including retrieving telemetry receivers, releasing 22 wolves into the wild, and issuing an EA on direct releases into New Mexico that would contribute to the wolves' short-term prospects. The urgency in getting more wolves into the wild in time to reproduce next year, and making them safer, is not to be discounted. Frighteningly, if the short-term is not attended to, it may prove entirely too late for the Mexican gray wolf. We hope that you will act accordingly.

Thank you for your attention to this matter.

Sincerely,


MARTIN HEINRICH
Member of Congress


RAÚL M. GRIJALVA
Member of Congress


BARBARA LEE
Member of Congress


DENNIS J. KUCINICH
Member of Congress

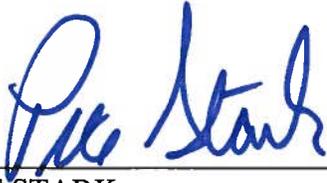

JARED POLIS
Member of Congress



ANDRÉ CARSON
Member of Congress



SAM FARR
Member of Congress



PETE STARK
Member of Congress



NITA LOWEY
Member of Congress



MIKE HONDA
Member of Congress



JOHN LEWIS
Member of Congress



STEVE COHEN
Member of Congress